

NOT FOR PUBLICATION

(Doc. Nos. 25, 26)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

ANN MARIE TALLEY,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.

Defendants.

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Civil No. 11-01180 (RBK/KMW)

ORDER

THIS MATTER having come before the Court on the motion of the United States of America (“Defendant”) to dismiss the complaint of Ann Marie Talley (“Plaintiff”) for lack of subject matter jurisdiction, pursuant to Federal Rule of Civil Procedure 12(b)(1), and the motion of Metropolitan Life Insurance Company (“Metlife”) for summary judgment on Plaintiff’s complaint, pursuant to Federal Rule of Civil Procedure 56; and the Court having considered the moving papers and attached documents, and the responses thereto, and for the reasons expressed in the Opinion issued this date;

IT IS HEREBY ORDERED that the United States’ motion to dismiss is **GRANTED**. Plaintiff’s complaint is **DISMISSED WITHOUT PREJUDICE**. Plaintiff may file an amended complaint within 30 days of this Order.

IT IS HEREBY FURTHER ORDERED that Metlife’s motion for summary judgment is **GRANTED**.

Dated: 3/28/2013

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge